

EXHIBIT A

100106456056050718

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 04/16/2018

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

Index No.:
Date Filed:

-----X
CAROLE DAANE,

Plaintiff designates
BRONX County as the
place of trial

Plaintiff(s),

-against-

SUMMONS

RYDER TRUCK RENTAL, INC., POSTAL FLEET
SERVICES, INC. AND MELVIN ALLEN,

The basis of venue
is plaintiff's
residence:
2104 Holland Avenue
Bronx, New York

Defendant(s).

-----X

To the above named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to appear in this action by serving a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

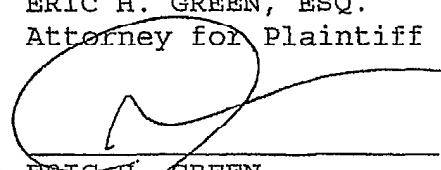
Dated: March 21, 2018

Defendant's Address:

RYDER TRUCK RENTAL, INC.
3100 Industrial Parkway
Jeffersonville, IN 47130
-and-
11690 NW 105th Street
Miami, Florida 33178

POSTAL FLEET SERVICES, INC.
609 Twentieth Street
Saint Augustine, FL 32084
-and-
2808 North 5th Street, Suite 501
Saint Augustine, FL 32084

ERIC H. GREEN, ESQ.
Attorney for Plaintiff

By: 
ERIC H. GREEN
Post Office Address
295 Madison Avenue
New York, New York 10017
(212) 532-2450

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FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

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MELVIN ALLEN
1502 Bradley Avenue
Camden, New Jersey

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----x
CAROLE DAANE,

Index No.:

Plaintiff,

VERIFIED
COMPLAINT

- against -

RYDER TRUCK RENTAL, INC. POSTAL FLEET
SERVICES, INC. AND MELVIN ALLEN,

Defendants.

-----x

Plaintiff, complaining of the defendants herein, by her attorney,
ERIC H. GREEN, ESQ., respectfully set forth and allege as follows:

AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF

OF PLAINTIFF CAROLE DAANE

1. That at the time of the commencement of this action the plaintiff was a resident of Bronx County, City and State of New York.
2. That at all times herein mentioned, defendant, RYDER TRUCK RENTAL, INC., was a corporation duly organized and existing under and by virtue of the Laws of the State of Indiana.
3. That at all times herein mentioned defendant, RYDER TRUCK RENTAL, INC., was a business entity conducting business within the State of Indiana.
4. That at all times herein mentioned defendant, RYDER TRUCK RENTAL, INC., was a business entity conducting business within the State of New York.
5. That at all times herein mentioned defendant, RYDER TRUCK RENTAL, INC., was an entity existing under and by virtue of the laws of the State of Indiana.

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 04/16/2018

6. That at all times herein mentioned defendant, RYDER TRUCK RENTAL, INC., was an entity existing under and by virtue of the laws of the State of New York.

7. That at all times herein mentioned defendant, RYDER TRUCK RENTAL, INC., was the owner of a truck operated within the State of New York pursuant to the Laws of the State of New York.

8. That at all times herein mentioned, defendant, RYDER TRUCK RENTAL, INC., was the owner of a vehicle involved in an accident on April 28, 2017.

9. That at all times herein mentioned, defendant, RYDER TRUCK RENTAL, INC., was the owner of a truck involved in an accident on April 28, 2017.

10. That at all times herein mentioned, defendant, RYDER TRUCK RENTAL, INC., was the owner of a vehicle bearing registration number 2569205, Indiana.

11. That at all times herein mentioned, defendant, RYDER TRUCK RENTAL, INC., was the owner of a truck bearing registration number 2569205, Indiana.

12. That at all times herein mentioned, defendant, RYDER TRUCK RENTAL, INC., leased a vehicle to POSTAL FLEET SERVICES, INC.

13. That at all times herein mentioned, defendant, MELVIN ALLEN, was the operator of a vehicle involved in an accident on April 28, 2017.

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 04/16/2018

14. That at all times herein mentioned, defendant, MELVIN ALLEN, was the operator of a truck involved in an accident on April 28, 2017.

15. That at all times herein mentioned, defendant, MELVIN ALLEN, was the operator of a vehicle bearing registration number 2569205, Indiana.

16. That at all times herein mentioned, defendant, MELVIN ALLEN, was the operator of a truck bearing registration number 2569205, Indiana.

17. That at all times herein mentioned, defendant, MELVIN ALLEN, was in physical charge, operation, management and control of the aforesaid vehicle owned by defendant, RYDER TRUCK RENTAL, INC., with the knowledge, consent and permission, expressed or implied, of the defendant owner thereof.

18. That at all times herein mentioned, defendant, MELVIN ALLEN, was employed by defendant, RYDER TRUCK RENTAL, INC., and was acting within the scope of his employment.

19. That at all times herein mentioned, defendant, POSTAL FLEET SERVICES, INC., was a corporation duly organized and existing under and by virtue of the Laws of the State of Florida.

20. That at all times herein mentioned defendant, POSTAL FLEET SERVICES, INC., was a business entity conducting business within the State of Florida.

21. That at all times herein mentioned defendant, POSTAL FLEET SERVICES, INC., was a business entity conducting business within the State of New York.

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 04/16/2018

22. That at all times herein mentioned defendant, **POSTAL FLEET SERVICES, INC.**, was an entity existing under and by virtue of the laws of the State of Florida.

23. That at all times herein mentioned defendant, **POSTAL FLEET SERVICES, INC.**, was an entity existing under and by virtue of the laws of the State of New York.

24. That at all times herein mentioned defendant, **POSTAL FLEET SERVICES, INC.**, was the owner of a truck operated within the State of New York pursuant to the Laws of the State of New York.

25. That at all times herein mentioned, defendant, **POSTAL FLEET SERVICES, INC.**, was the owner of a vehicle involved in an accident on April 28, 2017.

26. That at all times herein mentioned, defendant, **POSTAL FLEET SERVICES, INC.**, was the owner of a truck involved in an accident on April 28, 2017.

27. That at all times herein mentioned, defendant, **POSTAL FLEET SERVICES, INC.**, was the owner of a vehicle bearing registration number 2569205, Indiana.

28. That at all times herein mentioned, defendant, **POSTAL FLEET SERVICES, INC.**, was the owner of a truck bearing registration number 2569205, Indiana.

29. That at all times herein mentioned, defendant, **POSTAL FLEET SERVICES, INC.**, rented a vehicle from **RYDER TRUCK RENTAL, INC.**

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 04/16/2018

30. That at all times herein mentioned, defendant, **POSTAL FLEET SERVICES, INC.**, leased a vehicle from **RYDER TRUCK RENTAL, INC.**

31. That at all times herein mentioned, defendant, **MELVIN ALLEN**, was the operator of a vehicle involved in an accident on April 28, 2017.

32. That at all times herein mentioned, defendant, **MELVIN ALLEN**, was the operator of a truck involved in an accident on April 28, 2017.

33. That at all times herein mentioned, defendant, **MELVIN ALLEN**, was the operator of a vehicle bearing registration number 2569205, Indiana.

34. That at all times herein mentioned, defendant, **MELVIN ALLEN**, was the operator of a truck bearing registration number 2569205, Indiana.

35. That at all times herein mentioned, defendant, **MELVIN ALLEN**, was in physical charge, operation, management and control of the aforesaid vehicle owned by defendant, **POSTAL FLEET SERVICES, INC.**, with the knowledge, consent and permission, expressed or implied, of the defendant owner thereof.

36. That at all times herein mentioned, defendant, **MELVIN ALLEN**, was employed by defendant, **POSTAL FLEET SERVICES, INC.**, and was acting within the scope of his employment.

37. That at all times herein mentioned, plaintiff, **CAROLE DAANE**, was the owner and operator of a motor vehicle bearing registration number CDJ9761, New York.

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 04/16/2018

38. That on the 28th day of April, 2017, at approximately 6:00 a.m., the aforesaid vehicles came into contact with each other on Canal Street, at or near the intersection with Hudson Street both public streets and thoroughfares, in the County, City and State of New York.

39. That defendants so carelessly and negligently operated their aforesaid vehicle so as to cause the aforesaid contact.

40. That as a result of the foregoing, the plaintiff was caused to and did sustain severe and serious injuries and was required to seek and obtain medical care and attention in an effort to cure and alleviate same and, upon information and belief, will be compelled to do so in the future.

41. That the aforesaid occurrence and the injuries sustained by the plaintiff were caused wholly and solely by the negligence of the defendants.

42. That the plaintiff has sustained a serious injury as the same is defined in Subdivision "d" of Section 5102 of the Insurance Law of the State of New York.

43. That the action falls within one or more of the exceptions set forth in Section 1602 of the CPLR.

44. That as a result of the foregoing, the plaintiff has been damaged in an amount to be determined in excess of the jurisdiction of all lower courts.

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 04/16/2018

AS AND FOR A SECOND CAUSE OF ACTION ONBEHALF OF PLAINTIFF CAROLE DAANE

45. This plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs of this complaint numbered "1" through "43", inclusive, with the same force and effect as though the same were more fully set forth at length herein.

46. That as a result of this occurrence, plaintiff sustained property damage to and loss of use of her 2013 Hyundai automobile bearing registration number CDJ9761, New York.

47. That as a result of the foregoing, this plaintiff has been damaged in an amount to be determined in excess of the jurisdiction of all lower courts.

WHEREFORE, plaintiff, CAROLE DAANE, demands judgment in the FIRST CAUSE OF ACTION against the defendants in the amount to be determined in excess of the jurisdiction of all lower courts and plaintiff, CAROLE DAANE, demands judgment in the SECOND CAUSE OF ACTION against the defendants in the amount to be determined in excess of the jurisdiction of all lower courts all together with the costs and disbursements of this action.

Dated: March 21, 2018

ERIC H. GREEN, ESQ.
Attorney for Plaintiff

By: 

ERIC H. GREEN, ESQ.
Post Office Address
295 Madison Avenue
New York, New York 10017
(212) 532-2450

/cb

FILED: BRONX COUNTY CLERK 04/16/2018 06:09 PM

INDEX NO. 24412/2018E

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ATTORNEY'S VERIFICATION

I, the undersigned, am an attorney admitted to practice in the Courts of New York State, and say that:

I am the attorney of record, or of counsel with the attorney(s) of record for plaintiff(s).

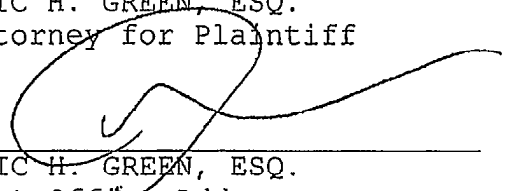
I have read the annexed Summons and Verified Complaint and know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge is based upon the following:

Interviews and/or discussions with the plaintiff and papers and/or documents in the file.

The reason I make this affirmation instead of plaintiff is because said plaintiff resides outside of the county from where your deponent maintains his office for the practice of law.

Dated: March 21, 2018
New York, New York

ERIC H. GREEN, ESQ.
Attorney for Plaintiff

By: 
ERIC H. GREEN, ESQ.
Post Office Address
295 Madison Avenue
New York, New York 10017
(212) 532-2450

Index No.:24412/2018E
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

CAROLE DAANE,

Plaintiff(s),

-against-

RYDER TRUCK RENTAL, INC.
POSTAL FLEET SERVICES, INC. AND
MELVIN ALLEN,

Defendant(s),

SUMMONS AND VERIFIED COMPLAINT

ERIC H. GREEN

Attorney for Plaintiff(s)
295 Madison Avenue, 16th Floor
New York, New York, 10017
(212) 532-2450

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous

Signature.....
Print Signer's

Service of a copy of the within
Dated:

is hereby admitted.

.....
Attorney(s) for

PLEASE TAKE NOTICE

Notice of Entry
that the within is a (certified) true copy of a
of the within named Court on

entered in the office of the clerk

Dated:

ERIC H. GREEN, Esq.
Attorney for Plaintiffs
295 Madison Avenue, 16th Floor
New York, New York 10017
(212) 532-2450



Nationwide®

Eric Green Esq.
Page 1 of 2

Date prepared April 23, 2018
Claim number 103310-GF
Policy number ACP BAPD3007541394
Questions? Contact Claims Associate
Jacqueline Cassatt
CASSATJ@nationwide.com
Phone 717-526-3360
Fax 1-866-276-6167

Eric Green Esq.
295 Madison Ave
16th Floor
New York, NY 10017-6304

**Please provide an
update on your client's
medical treatment**

Dear Mr. Green,

I'm handling a Liability claim involving your client, Carole Daane, for an accident that occurred on April 28, 2017.

I called you on April 23, 2018, but was unable to reach you.

In the near future, I'd like to discuss the settlement options for this claim with you. To do so, I'll need an update on the status of your client's injury and any related treatments or expenses.

Claim details

Your client:	Carole Daane
Insurer:	Depositors Insurance Company
Policyholder:	POSTAL FLEET SERVICES INC
Claim number:	103310-GF
Loss date:	April 28, 2017

Action requested

Please send any updates on your client's medical treatment, including their medical records or reports, and all medical bills, to me by mail: P.O. Box 182068, Columbus, OH 43218-2068, email: CASSATJ@nationwide.com or fax: 1-866-276-6167, as soon as possible.

Thank you for your cooperation

If you have any questions or concerns, please contact me at 717-526-3360 or CASSATJ@nationwide.com.

Sincerely,

Jacqueline Cassatt
Depositors Insurance Company
P.O. Box 182068
Columbus, OH 43218-2068

Any person knowingly and with intent to defraud an insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning

13991004978015

[Handwritten signature]
Answers - ?

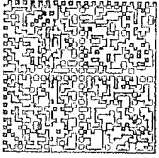
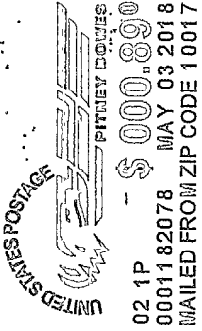


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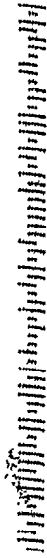
Eric H. Green
Attorney at Law
295 Madison Avenue, 16th Floor
New York, N.Y. 10017

NEW YORK
NY 100
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FIRST-CLASS



Nationwide Insurance Company
P.O. Box 182068
Columbus, OH 43218-2068
Attention: Jacqueline Cassatt
Attn: Claim No.: 103310



43218-2068